

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAQUAWN T. STEVENSON,

Plaintiff,

-against-

ROBERT SMITH,

Defendant.

24-CV-5472 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated December 2, 2024, the Court directed Plaintiff to file an amended complaint within sixty days. That order specified that failure to comply would result in dismissal of the complaint. On January 13, 2025, the Court received notification from the U.S. Postal Service that the December 2, 2024 order was undeliverable. Plaintiff has not filed an amended complaint or otherwise communicated with the court. Accordingly, the complaint, filed *in forma pauperis* (“IFP”) under 28 U.S.C. § 1915(a)(1), is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: January 28, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge